## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA (Asheville)

)
) Case No.: 1:18-cv-00007-MR-DLH
)
)
)
)
)
)
)
)

## MOTION FOR EXTENSION OF DISMISSAL DEADLINE

Defendants Equifax Information Services LLC and Equifax Inc. (collectively referred to herein as the "Equifax Entities"), by counsel, respectfully request that the Court extend the time to file the Stipulation of Dismissal to December 17, 2018. In support of this motion, the parties hereto state as follows:

- 1. On November 8, 2018, the Court ordered that an "[a]greed entry of judgment or a stipulation of dismissal be filed within 30 days, or the court will dismiss the case without prejudice." Doc. 62.
  - 2. Pursuant to FED. R. CIV. P. 6(a)(1)(C), this deadline is December 10, 2018.
- 3. The parties have reached a settlement and finalized the settlement documentation.
- 4. Defendants have experienced an unforeseen delay in issuing the settlement funds check to Plaintiff, but anticipate that it will be mailed to Ms. Hinkle on or before December 7, 2018.
  - 5. This is the first request for an extension of this deadline.

- 6. The parties bring this motion in good faith, and in doing so, do not intend to cause undue delay, unnecessary burden, or needless expense, but rather to avoid same.
- 7. Counsel for the Equifax Entities reached out to Plaintiff to seek consent to this motion by telephone and e-mail on December 5, 2018, but have received no response.
- 8. Accordingly, the Equifax Entities request that the deadline to file the stipulation of dismissal with prejudice be extended through and including December 17, 2018.

Respectfully submitted this 6<sup>th</sup> day of December, 2018.

## KING & SPALDING LLP

/s/ Bradley J. Lingo Bradley J. Lingo North Carolina Bar No. 44018 Attorney for Defendants Equifax Inc. and Equifax Information Services LLC 300 South Tryon Street **Suite 1700** Charlotte, North Carolina 28202

Tel: (704) 503-2573 Fax: (704) 503-2622 blingo@kslaw.com

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of December, 2018, a copy of the foregoing pleading was filed electronically with the clerk of court via the Court's ECF system which will send notifications to ECF participants, and Plaintiff was served via U.S. Mail, postage prepaid:

Teri Lynn Hinkle 19 Mossy Creek Trail Murphy, North Carolina 28906 *Pro Se Plaintiff* 

KING & SPALDING LLP

/s/ Bradley J. Lingo

Bradley J. Lingo North Carolina Bar No. 44018 Attorney for Defendant Equifax Inc. and Equifax Information Services LLC 300 South Tryon Street Suite 1700 Charlotte, North Carolina 28202

Tel: (704) 503-2573 Fax: (704) 503-2622 blingo@kslaw.com